

PRQB 12B
(SD/FL 9/96)

SD/FL PACTS No. 65785

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDACASE NO. 00-6293-CR-HUCK

APR 05 2004

FILED by <i>[Signature]</i>	D.C.
CLARENCE MADDOX CLERK U.S. DIST. CT. S. D. OF FLA.	

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Gary Williams

Name of Sentencing Judicial Officer: The Honorable Paul C. Huck, Judge, U.S. District Court, Miami, Florida.

Date of Original Sentence: October 26, 2001

Original Offense: Possession with Intent to Distribute Cocaine Base, Title 21 U.S.C. § 846, a class C felony.

Original Sentence: Two (2) months custody of the Bureau of Prisons followed by three (3) years supervised release. Supervised release revoked on 10/2/03, and sentenced to four (4) months Bureau of Prisons followed by thirty-two (32) months supervised release. Special conditions: 1. Participate in a drug treatment program. 2. Maintain full-time legitimate employment and cannot be unemployed for more than 30 days. 3. Submit to search of person and/or property.

Type of Supervision: Supervised Release

Date Supervision Commenced: January 28, 2004

PETITIONING THE COURT

- To extend the term of supervision for ____ years, for a total term of ____ years.
 To modify the conditions of supervision as follows:

The defendant shall reside at and participate in the Community Corrections Center for a period not to exceed 120 days, or until otherwise released at the direction of the U.S. Probation Officer.

CAUSE

1. **Violation of Mandatory Condition**, by failing to submit to drug testing. On March 24, 2004, the defendant failed to submit to drug testing as scheduled by Code-A-Phone.
2. **Violation of Standard Condition**, by failing to report to the probation office as directed. On or about March 23, 2004, the defendant was instructed to report to the probation office every Monday and submit job search logs, and the defendant failed to comply.

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J/K*

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3. **Violation of Standard Condition**, by failing to work regularly at a lawful occupation. Since on or about January 28, 2004, the defendant has failed to work regularly as required.
4. **Violation of Special Condition**, by failing to participate in an approved treatment program. On or about March 22nd and March 23rd 2004, the defendant failed to attend his scheduled appointments with Chelsea Marder, counselor at Spectrum Programs, Inc.
5. **Violation of Special Condition**, by failing to maintain full-time, legitimate employment and being unemployed for a term of more than thirty (30) days. Since on or about January 28, 2004, the defendant has failed to maintain full-time employment, and has been unemployed for a term of more than thirty (30) days.

On April 1, 2004, Mr. Williams was confronted regarding the above violations. Mr. William's previous term of supervised release was revoked due to the same non-compliant behavior. This officer is respectfully requesting Mr. Williams's supervision be modified to include participation in the Community Corrections Center for up to 120 days.

Please find the attached Prob 49, Waiver of Hearing Form, signed by the defendant agreeing to modify his conditions of supervised release. If Your Honor is in agreement with the modifications indicated in this report, please sign below.

Respectfully submitted,

by



Diane Acquaviva
U.S. Probation Officer
Phone: (954) 769-5573
Date: April 1, 2004
EWA

THE COURT ORDERS:

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Submit a Request for _ Warrant or _ Summons



Signature of Judicial Officer

April 5, 2004
Date

PROB 49
(3:89)

SD/FL PACTS #65785

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

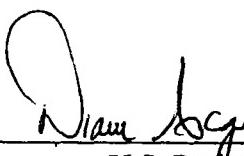
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

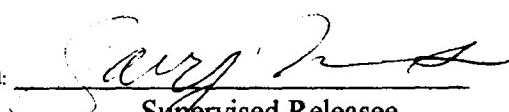
The defendant shall reside at and participate in the Community Corrections Center for a period not to exceed 120 days, or until otherwise released at the direction of the U.S. Probation Officer.

Witness:



U.S. Probation Officer
Diane Acquaviva

Signed:



Supervised Releasee
Gary Sentel Williams

April 1, 2004
Date